



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

October 29, 2010

Ms. Paula Pelot

Redacted

RE: FPPC File No. 10/930; George Eads, Howard Gustafson, William Lee, and their controlled committees

Dear Ms. Pelot:

This letter is to notify you that the Enforcement Division of the Fair Political Practices Commission (the "FPPC") will investigate the allegation(s), under the jurisdiction of the FPPC, of the sworn complaint you submitted in the above-referenced matter. You will next receive notification from us upon final disposition of the case. However, please be advised that at this time we have not made any determination about the validity of the allegation(s) you have made or about the culpability, if any, of the person(s) you identify in your complaint.

Thank you for taking the time to bring this matter to our attention.

Sincerely,

Redacted

Roman G. Porter
Executive Director

RGP/tr

cc. George Eads, Howard Gustafson, William Lee, and their controlled committees

SWORN COMPLAINT FORM

(Form May Be Subject to Public Disclosure)*

AS REQUIRED BY GOVERNMENT CODE SECTION 83115, please complete the form below to file a sworn complaint with the Fair Political Practices Commission. **This form must be completed in its entirety and all pertinent information must be stated on this form, not as an attachment.**

Mail the complaint to: **Enforcement Division
Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, California 95814**

Person Making Complaint

Last name: Pelot

First Name: Paula

Street Address:
Redacted

City: _____ State: _____

Zip: _____

Telephone: (_____) _____

Fax: (_____) _____

E-mail: _____

***IMPORTANT NOTICE**

Under the California Public Records Act (Gov. Code Section 6250 and following), this sworn complaint and your identity as the complainant may be subject to public disclosure. Unless the Chief of Enforcement deems otherwise, within three business days of receiving your sworn complaint we will send a copy of it to the persons(s) you allege violated the law.

In some circumstances, the FPPC may claim your identity is confidential, and therefore not subject to disclosure. A court of law could ultimately make the determination of confidentiality. If you wish the FPPC to consider your identity confidential, do not file the complaint before you contact the FPPC (916-322-5660 or toll free at 866-ASK-FPPC) and discuss the complaint with an Enforcement Division attorney.

10 OCT 16 PM 4:50
RECEIVED
FAIR POLITICAL
PRACTICES COMMISSION

Complaint

Person or Persons who Allegedly Violated the Political Reform Act: (If there are multiple parties involved, attach additional pages as necessary.)

Last Name: Eads (George), Gustafson (Howard), Lee (Bill)

First Name: George (Eads), Howard (Gustafson) , Bill (Lee)

Street Address:
Unknown (not shown on the postcard mailer)

City: _____ State: _____

Zip: _____

Telephone: (____) _____ - _____

Fax: (____) _____ - _____

E-mail: _____

Provision or Provisions of the Political Reform Act Allegedly Violated: (If specific sections are not known, please provide a brief summary of the nature of the violation(s), and when it (they) occurred.) **You must state the suspected violation(s) on this form.**

I received the enclosed postcard through the US Mail in my mailbox 9/30 or 10/1/2010 (when I brought it in from my mailbox.) The mailer has the three Marina Coast Water Board District (MCWD) Board candidates on it but no address to indicate who, or what, campaign mailed the piece or paid for it. Under each candidate, there is a number, presumably their FPPC #, although neither Gustafson or Lee denotes that the number is a FPPC #.

Although both Gustafson and Lee filed Form 460's for the period ending 09/30/10, Mr. Eads has not. It isn't clear who paid for this mail piece, nor is it from the two attached Form 460's filed by Howard Gustafson and Bill Lee.

Although I am a MCWD ratepayer, I live in a MCWD service area and cannot vote in the MCWD election. I live in a precinct that is outside of the MCWD voter precincts: County of Monterey 475362, 475363, 475364, 475365, 475366 and 475367. I live in precinct 475369 and so should not have received this mailer. That causes me to suspect that whomever did mail this card may have (mis)used the MCWD billing data file. Two of the three candidates on the mailer, Gustafson and Lee, are current MCWD Board members and I am concerned that they may have had improper access to, and use of, the MCWD billing data. Moreover, I believe the mailed postcard did not properly identify the sender and it is not clear who paid for the mailer. Gustafson's 460 shows an unpaid printing bill to "Bob Drake- Printing" but no mailing services and Bill Lee's Form 460 shows Mailing services (Coastal Mailing) but not the printing of this many cards (Integrity Printing could only have been 300-600 prints). Eads filed nothing.

Description, With as Much Particularity as Possible, of Facts Constituting Alleged Violation and how you have personal knowledge that it occurred**

I received the postcard in the US Mail. I have obtained copies of all of the above candidates filed Form 460's for the period ending 09/30/2010. George Eads did not file one per the Monterey County Office of Elections, who provided copies of all of the filed form 460's to Patricia L. Cramer via email (otterpc@aol.com) upon her request. Ms. Cramer does live in a MCWD voter precinct (475366) and also received the same postcard and question why there was nothing to identify who was the true sender. After receiving the Form 460's, she questioned why George Eads, who received benefit from these postcards (perhaps a non-monetary contribution) had not filed a Form 460 (since he has an FPPC #) that reflected either the direct expenditure for the postcards (mailing and/or printing) or a non-monetary contribution from the campaign committees of one, or both, of the other two candidates who appear on the mailed postcard.

Other residents in my precinct, who also receive bills from MCWD but who also cannot vote as they (like me) are ratepayers to MCWD but not voters in the MCWD elections, also received the same postcard in the mail.

Eads FPPC # 1329170, Gustafson (assumed) FPPC# 1328455, Lee (assumed) FPPC#1328541

****Please attach copies of any available documentation that is evidence of the violation, (for example, checks, campaign materials, etc., if applicable to the complaint). Note that a newspaper article is NOT considered evidence of a violation.**

Name and Addresses of Potential Witnesses, in addition to yourself, if Known:

Last Name: Cramer

First Name: Patricia

Street Address:

City: State:

Zip: -

Telephone: (58

Fax: () -

E-mail: otterpc@aol.com

Last Name: Lambert

First Name: Frank

Street Address: _____

City: _____ State: _____

Zip: _____

Telephone: (____) _____

Fax: (____) _____ - _____

E-mail: _____

Last Name: _____

First Name: _____

Street Address: _____

City: _____ State: _____

Zip: _____ - _____

Telephone: (____) _____ - _____

Fax: (____) _____ - _____

E-mail: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Redacted

(Signature)

10/11/2010
(Date)

Paula F. Pelot
(Please print your name)